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## Clean water confusion A Daily Press editorial

The Daily Press

Thursday, June 22nd, 2006 10:13:41 AM



A split Supreme Court ruling Monday left some wiggle room for how much authority the Army Corps of Engineers will have in regulating wetlands. The justices ruled that new limits could be placed on the Corps' authority, but didn't say what those limits could be.

The case stemmed from the denial of permits for Michigan developers to build on wetlands. The Corps said because the wetlands were linked to larger, navigable, bodies of water and have an effect on those waters, they were within their bounds. The developers argued they overstepped their authority.

In this case, the court agreed with the developers, but did not go so far as to throw out the Corps' authority to regulate wetlands altogether, which means there is likely to more litigation in the future in lower courts.

Fortunately for Wisconsin, state rules regulate wetland construction, so the case will have a lesser impact here.

**Story Continues Below**

But as the pressure to build increases — and especially pressure to build on or near water — expect the court battles to continue.



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